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The Honorable Robert B. Leighton

Date of Motion: March 10, 2009



07-CV-05500-ORD

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CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON AT TACOMA
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

10 MICHAEL AMPE and JEFFREY POWER,
11 Individually, and as class representatives,

12 Plaintiffs,

vs.

13 CITY OF PUYALLUP, a municipality

Defendant.

Case No. 07-5500 RBL

NOTICE OF TENTATIVE SETTLEMENT
AND STIPULATED REQUEST TO
MAINTAIN CASE IN OPEN STATUS
AND HOLD MOTIONS IN ABEYANCE

15 Plaintiffs Michael Ampe and Jeffrey Power, individually and as class representatives, and
16 Defendant City of Puyallup, through their respective counsel of record, hereby give notice to the
17 Court that the parties participated in mediation and that a tentative settlement of this case has
18 been reached. The tentative settlement eliminates the need for the Court to rule on the pending
19 cross-motions for summary judgment.

20 The parties request that the Court maintain the case in open status rather than issuing a
21 conditional dismissal because the settlement is subject to approval by the City of Puyallup City
22 Council, because the Court will be requested to approve the settlement of this collective action
23 under the Fair Labor Standards Act, and because the individual opt-in plaintiffs will be required
24 to agree to the settlement. Plaintiffs' counsel will prepare and file the request for Court approval
25 of the settlement promptly after being informed that it has been approved by the City Council.

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27 NOTICE OF TENTATIVE SETTLEMENT - 1

SEBRIS BUSTO JAMES
14205 SE 36th Street, Suite 325
Bellevue, Washington 98006
(425) 454-4233

1 DATED this 10th day of March, 2009.

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3 SEBRIS BUSTO JAMES

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/s/ M. Edward Taylor

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Attorneys for Plaintiffs, Michael Ampe and
Jeffrey Power, individually and as class
representatives

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ORDER

14 The case shall remain open pending the Court's review of the proposed settlement and
15 related action. The parties' cross-motions for summary judgment will be held in abeyance unless
16 re-noted for hearing.

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DATED THIS 18th day of March, 2009.



Honorable Robert B. Leighton
United States District Court Judge

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NOTICE OF TENTATIVE SETTLEMENT - 2

SEBRIS BUSTO JAMES
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